

DID THEY ALL LIE

Mrs. Haines Flatly Contradicts the Contestant's Witnesses.

HER MEMORY IS TREACHEROUS

Subjected to a Searching Cross-Examination—The Lock on the Old Parlor Door Is Viewed by the Jury.

As usual the circuit court room was crowded with spectators yesterday morning, interest in the Brown will case seeming to increase in a geometrical ratio.

The cross-examination of Mrs. Haines, the contestant, was continued by Mr. Smiley. She did not know the exact date of her birth, the record in the family Bible having been erased or torn out. Extracts were read from the testimony of Mrs. Haines in the probate court relating to the income of her business affairs. They testified that about Alice and her mother in the estate, but talked upon general subjects. Witness never saw the sworn statement alleged to have been made by her mother as to her relations with Dr. Seelye. Except at the time she went off with Seelye her parents always lived together. She said she did not know whether Alice lived at home after marriage or not, as she was not on speaking terms with Alice at the time. The old man's account book was produced and opened up at the page where the charges were entered against Mrs. Hayden. These items were posted by Will Brown in 1889 and covered a period of twenty years and included his wife's wardrobe which was given to Alice upon the death of Mrs. Brown. It was entered in the account that these items were to come out of Alice's share of the estate. The total amount was \$3,971. Margaret could not explain any of these entries nor did she know why the account was not posted long ago. She had nothing whatever to do with the account.

Her father urged her to come and live with him after his wife died, declaring that Alice neglected him. Witness never said anything against her mother to anyone. She remembered that Alice's trunk was searched before Alice left home, but did not remember to have advised such a proceeding. She knew that some sheets and pillow cases were missing at that time. Witness denied positively that she ever wrote a note to her father concerning a silk dress that she purchased and gave to Alice, but which Mrs. Smiley produced the note in which she wrote that she understood who was at the bottom of the transaction. Mrs. Haines suddenly experienced a return of memory and acknowledged the note. In fact, her memory seems to be playing tricks with her constantly, some important matters having entirely escaped her, while more unimportant details are as clear to her mind as if they had just occurred.

Afternoon Session.

Mrs. Haines resumed the stand at the afternoon session and Mr. Smiley resumed his cross-examination. Witness brought in a list of the property she had in 1880 and the family record. She said the record was on one of the fly leaves of a book Mr. Smiley held, but she didn't know just where, for she had not seen it since she was a child. She did not get any property from her first husband, except his life insurance. He had left some debts, but she had never been invited to pay them and hadn't paid them. She got the property she had in 1880 by saving from the money her husband gave her and then allowing her father to invest it for her. She also drew \$2,000 on a lottery ticket. She hadn't any idea whatever of the value of her Grandville home, and didn't know whether she would accept an offer of \$2,000 for it or not. Witness had heard her father's will read and in that way knew how much money he had left her mother. Witness didn't know why he left the mother with so little, but had heard her father say he didn't want Alice to get it, for she would squander it. Witness did not know the contents of the will until her father died, and never told anyone that she knew what was in the will. Witness knew her father had made a will by the agreement Mr. Brown brought her, making herself and Mr. Ransom co-executors, but she never asked her father anything about how he had disposed of his property.

Witness first said she had never heard Mr. Ransom to take charge of her father's estate and relieve her of the responsibility, as stated in the agreement, (which Mr. Smiley read, but finally concluded that she had signed it without fully understanding it. After some urgent questions from Mr. Smiley and a suggestion from the court that she should answer the question by yes or no, Mrs. Haines agreed that she had desired and understood the contents of the agreement she signed. In spite of all that, she did not realize that she was the chief one interested in the will. (The agreement made Mr. Ransom accountable to Mrs. Haines for all money received by him from the estate, at least once in six months.) Witness said she read the agreement over just once when her father brought it to her. Witness had always had a copy of the agreement in her possession, but never had read it even once during all these years. (At this point Mrs. Haines gave the original agreement to Mr. Smiley.)

Mrs. Haines' Bad Memory.

Witness never took the paper out to look at it or show it to any one until after her father died. She had never talked with Mr. Ransom about the agreement; couldn't remember whether the ever was in his office or not, but did remember that her father and Mr. Ransom had come to see her once after the agreement was made. Her father never consulted her about being his executor. In the 70's she heard her mother say that Henry Brown expected to be executor, but she never heard any one talk about making Ransom and Clark executors. When her father brought the agreement to her to sign, she told him she wanted to read it. He then drove off, and she couldn't remember how long it was before her father came and got the paper. Witness supposed the agreement was signed on the same day, February 10, that the will was made. Witness put the paper in a little trunk, and her father told her just once to take care of it and keep it. It was in 1880 that her father said the will couldn't be broken. He said William Brown said the will could be broken and would be broken. Witness couldn't tell why her father seemed bitter against Alice, but thought it was

because Alice had squandered so much money for him—that \$10,000 wouldn't cover the sum. He mentioned repeatedly that the Haydens had squandered enough to make a poor man rich. Witness said she didn't know what her father claimed the Haydens spent their money on. Her father gave the Haydens \$300 at one time, and at another time he sent them two billiard tables at \$400 each. She didn't know whether the Haydens ever paid this money back or not. Witness never said in the probate court that the estate was worth \$200,000. Witness couldn't remember whether she signed an affidavit for a continuance of the suit.

At this point the spectators burst into loud laughter, and Mr. Russell begged the court to exercise some authority to prohibit such demonstrations. His honor ordered the clerk to clear the room of any whom he might see laughing or otherwise disturbing the court.

Witness didn't know her father's estate was so valuable until the will was made. When asked is she wouldn't have been satisfied with half of it had she known it was so valuable, witness "didn't know."

Here Mr. Smiley read much of Mrs. Haines' testimony in the probate court concerning the amount of money her father had given the Haydens. She couldn't remember any other sums except those mentioned that her father gave Alice. When asked if her father wouldn't be asked to tell her if he sent large sums to Alice, witness couldn't give an opinion.

Witness never called Mr. Hayden a drunkard, and never knew of his drinking except for his asthma. She thought the Haydens lived beyond their means, but her father was a close man. She never heard anything about giving Alice a farm at the time her father gave witness a farm. Her mother didn't sign the deed of her farm, but she didn't ask why, and didn't know whether it was because Alice didn't get a farm or not. Her mother didn't want Mr. Seelye to have any of her clothes, because "Electrica would take things that didn't belong to her." Her mother wanted the clothes divided between her two daughters, but Alice took them all. Witness declared she was not in the habit of interfering in her father's business, and so did not remonstrate with him when he charged Alice up with the whole amount (\$400) for the clothes, half of which really belonged to her.

Will Brown's testimony in regard to the life insurance was false, Witness got the money to pay that insurance from different sources. Witness had remarked to her father that Alice looked like the Cross family. She did not remember her father saying anything to Mr. Bigelow, such as appeared in that lady's testimony. Her first husband never said anything to her about married her, and had a family, but she couldn't remember how old the children were, neither could she remember when those children were married. Witness was in the habit of visiting her first husband's people, but didn't remember how often. Witness didn't know of anyone asking her father to go up to her mother's sick room, except himself. Witness led him up to the room.

Rather Against His Will, but couldn't tell one thing that they said to each other, although she stood in the room all the time. She couldn't remember whether he ever expressed a wish to go again, nor could she remember whether Mrs. Lucas ever called to see her mother or not. Witness did not sit on the steps with her father a good share of the time her mother was sick. She did not return the present of a splasher that Alice sent her in 1883 to Alice, but gave it to her father to take to her mother, because she herself had no use for it, and the mother had. Witness had seen Mr. Salisbury in Mr. Maher's office and employed him in the case. She furnished him some money to go down to New York state, but she didn't know whom he was to see there.

Mr. Russell objected to the questions, and wanted to know for what purpose certain questions were asked. The objection was overruled, and an exception taken. Resuming, witness knew that Mr. Salisbury was going to Watertown, and didn't know he intended to see R. B. Brown; didn't know he went there by the name of John Jones; didn't know that Mr. Salisbury represented himself to Mr. R. B. Brown as coming from Mr. Gleason, and didn't know that Mr. Gleason had received a letter from R. B. Brown. Witness sent Mr. Salisbury to Chicago and thought he had seen Dr. Seelye, but said Mr. Salisbury went by his own name, and didn't know about his going by the name of King. Couldn't remember sending him to Paris, and didn't know anything about his going by any alias there.

Witness identified her mother's bible, said it was in her father's house when she went to the house. The family records were on one of the fly leaves when witness was a child. Mr. Smiley called the attention of the witness to an erasure on the back leaf of the bible. Witness had some of the mortgages of a farm belonging to Wm. Bennett, but couldn't just remember the amount of the mortgages. Witness purchased ten shares of stock with part of her first husband's life insurance. She had never told anyone but Mr. Haines about getting money from a lottery, and couldn't remember what lottery it was or where it was located. Her husband bought her a lottery ticket and it drew \$2,000, and her husband brought her the money, but she had no idea how the money was raised, whether by draft or express, or in cash. She didn't tell anyone of the family that she had drawn the lucky number in the lottery.

This finished the cross-examination, and Mr. Russell stated that he would waive the redirect examination of Mrs. Haines until some future time. Mr. Russell renewed his request of the court that the jury view the house for the sake of looking at the doors. His honor said they might go at 5 o'clock.

Mrs. Candee, being called to the stand, said she lived at Reno, about thirty miles from this city. In 1887 witness lived as housekeeper in the house of Mr. James Brown for four weeks. Alice Hayden was a member of the family at that time, and was in the habit of going out of doors almost every afternoon. Mr. Brown found some fault with his daughter, Alice for being out so much, and said he wanted any help to him. Soon after witness went there Alice showed a letter to her father from her husband in which Mr. Hayden wanted her to come home, saying he was lonely. Mr. Brown said, "Why in hell don't you go home then? I don't want you here, you don't do me any good. I know what you are staying here for—you want to get more money out of me, and you've already squandered \$10,000." Witness said this was about two weeks before Mrs. Haines moved out from Grandville. Mr. Brown told witness that Alice had always caused him trouble and always would, and that she was waiting for more money. When witness asked him if he had made a will, he said "Yes, years ago, and I've left it so that

Alice Can't Squander My Money."

Witness considered Mr. Brown's mind

perfectly clear. She remembered the room where the sitting room and parlor, but there was no lock on the door. There are five doors leading out of the family sitting room, and she did not think there were locks on any of them.

Mr. Uhl began the cross-examination by asking if it was not true that she lived with the family from the 8th to the 12th of October, instead of four weeks. Witness couldn't remember exactly. Yes, she would limit Mr. Brown's soundness of mind to his treatment of business matters. Witness reiterated the statement she made in the direct examination concerning the letter Alice received from her husband. Witness said Mr. Brown spoke at the time of the letter about a dressmaker's bill of \$50 that he supposed he would have to pay. Mr. Brown told witness when talking with her that Alice had already had \$10,000, but did not say anything about charging it to Alice or putting down every cent on his book against her that he had ever let her have—never said anything about his book. Mr. Brown was blind at the time witness was employed there. Mr. Brown engaged her himself at \$2.50 per week and she did the housework. The reason she left that because Mr. Brown said a woman with a child would come for \$1 a week.

It took several repetitions of the question to make Mrs. Candee remember that a charge had been made that she had taken things out of the Brown house. Witness talked with Mrs. Skinner about things being missed, and told Mrs. Skinner that there wasn't anything worth taking from the house. Witness was not discharged, but simply left because of the other woman coming. Witness resented the accusation made against her. The sheets, pillowcases, and so on were very poor. She had no knowledge whatever that any things were taken out of the house while she was there. Mrs. Candee came to Grand Rapids on the 23rd of February, and had stopped since she came with Mrs. Haines.

The next witness called was Mrs. Mallory. Mr. Uhl objected to the testimony of the witness on the ground that she had been present during part of the trial, contrary to the order issued at the beginning that all witnesses should be excluded. The court ruled that the testimony of Mrs. Mallory should be taken, as she was not a party to the case. Mrs. Mallory stated that she lived on the west side, and had lived in the city about ten years. She had known the family of Jas. H. Brown thirteen or fourteen years, and had been in the habit of visiting the home. Witness said there had never been a lock on the door between the sitting room and parlor.

After Mrs. Howe left Mr. Brown's house, she talked with Mr. Brown about her. Mr. Brown told her that Mrs. Howe was in the habit of

Coming to His Bedside.

In her night clothes, and that she was a sack that he couldn't stand it; and that he believed Mrs. Howe would blackmail him if she could. Mr. Brown talked of his daughters to witness, and said Alice was "more for dress" and was more of a spendthrift than Margaret. He said Margaret would be provided for because she had left her home to care for him, but witness couldn't remember the way he would take about making provision for Alice. He never said anything against Alice except that she was not careful of her money.

On cross-examination, by Mr. Uhl, it appeared that witness knew the Browns through her niece who worked there. Witness didn't know where her niece, Cora Briggs, now lived. Mr. Brown never talked of his will to witness. She couldn't remember the way he would take about his sickness in '86. Mr. Brown didn't tell witness that Margaret had a seal skin worth \$500 and seven dresses at one time. He was in the habit of talking freely about his daughters to the friends that would come in. Mr. Brown was not entirely blind when he died, but knew in some way that Mrs. Howe came to his bed in her night dress, and told him she would take care of him as an old man's darling, and a young man's pet. Witness knew there was no lock on the door, because she was in the house a week ago last Sunday. Witness had heard some one on the stand testify that there were locks on the door, and whispered then to a lady that sat next to her, "That's not so, for there isn't a key hole there." 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